

CHAPTER 4
LAW ENFORCEMENT
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LAW ENFORCEMENT 4.01

4.01 **POLICE DEPARTMENT, MEMBERS.** The City Police Department shall consist of the Chief of Police and such other officers as shall be determined by the City Manager with the approval of the Council. The Chief of Police may, in case of an emergency, temporarily appoint any subordinate to perform any duties, including supervisory duties, so as to efficiently operate the Department, and when so acting, such officer shall not be deemed to have been raised in rank or entitled to any other salary except that provided for the rank of such officer; if such emergency shall continue to exist for more than 60 days, the Chief shall immediately report the same in writing to the City Manager. The City Manager shall make such rulings on the report as he deems necessary. A copy of the rulings shall be served upon the Chief and the Chief shall follow and carry out such rulings.

4.02 **CHIEF OF POLICE.** The Board of Police and Fire Commissioners of the City shall appoint the Chief of Police who shall hold office during good behavior, subject to suspension or removal by the Board for cause. The Chief of Police shall cause the public peace to be observed and see that all State laws and City ordinances are enforced, and whenever any violation comes to his knowledge, he shall cause the requisite complaint to be made and see that the evidence is procured for the successful prosecution of the offender or offenders. The Chief of Police shall have command of the police force of the City under the direction of the City Manager. He shall obey all written orders of the City Manager or Council. The Chief and all members of the Department shall possess all of those powers provided in §62.09(13), Wis. Stats., which section is hereby adopted by reference.

4.03 **SUBORDINATE MEMBERS OF THE DEPARTMENT.** The Chief of Police shall appoint subordinate members of the Department, subject to approval by the Board of Police and Fire Commissioners. Such appointments and promotions shall be made as provided in §62.13(4), Wis. Stats. Suspension and removal of subordinate members of the Department, also of the Chief of Police, shall be as provided in §62.13, Wis. Stats.

4.04 **OUTSIDE EMPLOYMENT.** Members of the Department shall not engage in outside employment in excess of 4 hours per day on any day that they are scheduled for duty in the Department and all such outside employment shall be subject to the approval of the Chief of Police. A further prohibition shall be that no officer may accept employment in conflict with the interests of the Police Department.

4.05 **RULES AND REGULATIONS.** The Chief of Police shall obey and cause members of the Department under him to obey the rules of the City Manager and the Department rules and regulations. The members of the Department shall be governed by the rules and regulations prepared by the Chief of Police and City Manager. Rules and regulations, when approved, shall be printed, the original filed with the City Clerk and a copy filed with the secretary of the Board of Police and Fire Commissioners. Amendments shall be made in the same manner.

LAW ENFORCEMENT 4.06

4.06 TRAFFIC BUREAU; ACCIDENT REPORTS. (1) There is hereby established in the Police Department a Traffic Bureau to be under the control of a police officer appointed by and under the jurisdiction of the Chief of Police.

(2) The Chief of Police is hereby authorized to delegate an officer to be in charge of the Traffic Bureau.

(3) The Chief shall make all rules and regulations to properly operate such bureau efficiently.

(4) The driver of any vehicle involved in an accident within the corporate limits of the City shall file with the Police Department a report of such accident or a copy of any report which is filed with the Wisconsin Motor Vehicle Department. All such reports shall be for the confidential use of the Department or officer and subject to the provisions of §346.70, Wis. Stats., which section is hereby adopted by reference.

4.07 OFFICIAL NOTICES AND INSPECTION OF PREMISES. The serving or posting of official notices, resolutions, claims, orders and other matters created to be served or posted and the inspection of premises in the City which are subject to licensing regulations under this Code shall be performed by a police officer in plain clothes or in uniform, as the particular situation demands, at the request of the City officer charged with the duty of having such notices, resolutions, claims and other official matter served or posted, and such premises inspected.

4.08 PERMIT FOR URBAN ARCHERY DEER HUNT. (1) **Purpose.** The City of Fond du Lac, like many other urban areas, has a deer population that, on occasion, causes problems with habitat and conflicts with people. The goal of this plan is to obtain a deer population that is acceptable to most Fond du Lac citizens.

(2) Definitions.

1. "Urban Archery Deer Hunt" means hunting deer with a bow and arrow only during the legal Wisconsin Department of Natural Resources (DNR) archery season within the City limits of the City of Fond du Lac pursuant to a permit issued by the Fond du Lac Police Department.

(3) General.

- a. Only property owners with five or more contiguous unimproved acres located within 50 feet of the City boundaries are eligible to obtain an urban archery deer hunting permit (Hereinafter it will be referred to as UADH). Applicants must present an aerial plat map of the property and proof of ownership of the five acre parcel.
- b. All UADH permits must be obtained from the Fond du Lac Police Department.
- c. Only properties and property owners that are approved by the Fond du Lac Police Chief or his designee and meet the criteria contained

in this ordinance will be allowed to hunt deer with bow and arrow. The Police Department will conduct a proper investigation of the property and the property owner prior to issuing the permit.

- i. No permits will be issued for platted subdivisions.
 - ii. No permits will be issued for public parks, public lands or public grounds.
- d. Only bow and arrow or crossbow for disabled hunters, as allowed under DNR regulations, may be used.
- e. All shots must be taken from an elevated tree stand. Elevated stands must be located at least 100 feet from any maintained road, building or structure. Pursuant to DNR regulations, a disabled hunter that is unable to climb up into a tree stand may hunt from a ground blind.
- f. No shots can be taken in any area outside the permitted land. No person using or discharging a bow and arrow as permitted under this ordinance shall cause, permit, allow or suffer any arrow propelled by such discharge to pass through or land on any public land or highway or any private land for which the person does not possess a permit as required under this ordinance.
- g. Any UADH permit holder, or their listed guest, must obtain permission from the neighboring owner prior to pursuing a wounded deer that has left the permitted property. If the neighboring property owner denies permission to enter his land, the hunter must contact the Police Department to insure the animal is properly disposed of. The DNR rules regarding pursuit of a wounded deer are adopted here by reference.
- h. The Fond du Lac Police Chief shall retain the absolute discretion to issue, deny, or revoke any permit or to add limitations to the permitted property.
- i. Bows are to be transported to the hunting area unstrung or enclosed in a carrying case.
- j. Warning signs must be posed prominently on the property owner's property when hunting is occurring.
- k. Hunting of deer by bow and arrow shall be done in accordance with the rules and regulations of the Wisconsin DNR, and city ordinances.
- l. The feeding or baiting of deer is prohibited.

(4) Urban Archery Deer Hunt (UADH) Permit

- a. The permit is an annual permit issued only for the legal Wisconsin deer archery season. Applicants must apply annually for the permit.
- b. Applications may be found online on the City of Fond du Lac's website or at the Fond du Lac Police Department.
- c. No hunting may take place before the permit is issued.
- d. A permit fee of \$75.00 must be paid prior to issuance of the UADH permit.

- e. The applicant property owner must include a list of all guests that applicant intends to allow to hunt on his property with his UADH permit application. The list must include the guests' addresses and phone numbers. Only persons that have obtained DNR bow hunting permits prior to the hunt may be allowed to be guests on the UADH permit holder's property. No more than one hunter may be hunting on any five acres at the same time.

(5) **Penalty.** In addition to the suspension or revocation of any permit issued under this chapter, any person found to be in violation of any provisions of this chapter or any order, rule or regulation made hereunder shall be subject to a penalty as provided in §25.04 of this Code of Ordinances.

Historical Updates			
Page	Paragraph	Ordinance No.	Date Adopted
Pages 2-4	4.08	3435	09/08/2010